

1 PATRICK D. ROBBINS (CABN 152288)
2 Acting United States Attorney

3 MARTHA BOERSCH (CABN 126569)
4 Chief, Criminal Division

5 BARBARA J. VALLIERE (DCBN 439353)
6 PATRICK K. O'BRIEN (CABN 292470)
7 RICHARD EWENSTEIN (CABN 294649)
8 Assistant United States Attorneys

9
10 450 Golden Gate Avenue, Box 36055
11 San Francisco, California 94102-3495
12 Telephone: (415) 436-7200
13 FAX: (415) 436-7234
14 Barbara.Valliere@usdoj.gov

15 Attorneys for United States of America

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO DIVISION

19
20 UNITED STATES OF AMERICA,)
21 Plaintiff,) NO. 3:24-CR-00243-WHA
22 v.)
23 DANIEL SCHATT, and) PARTIES' REQUEST TO SET A CHANGE OF
24 JOSEPH PODULKA,) PLEA HEARING AND STIPULATION TO
25 Defendants.) ADJUST THE PRETRIAL SCHEDULE AND
26) [PROPOSED] ORDER
27 _____)

28 It is hereby stipulated by and between counsel for the United States and counsel for the defendants Daniel Schatt and Joseph Podulka, that the Court set a change of plea hearing for both defendants on May 13, 2025, at 9:00 am, and adjust the pretrial schedule to account for that upcoming change of plea hearing, as further described below.

29 The parties are in the process of finalizing plea agreements under Federal Rule of Criminal
30 Procedure 11(c)(1)(C). The parties understand that the Court is unavailable for a change of plea hearing
31 STIPULATION AND [PROPOSED] ORDER
32 Case No. 3:24-CR-00243-WHA

1 until May 13, 2025 at 9:00 a.m., and therefore request that date and time for a change of plea hearing.

2 At this time, the parties are not requesting the Court vacate the trial date of July 7, 2025, but
 3 anticipate doing so at the conclusion of the May 13, 2025, change of plea hearing. However, based on
 4 the parties' request for a change of plea hearing and additional dates in June 2025 on which the parties
 5 understand the Court may no longer be available, the parties also jointly request adjustments to the
 6 existing pretrial schedule. Specifically, the parties request the Court make the following adjustments:

Current Date (Dkt. 74)	Requested New Date	Event
May 5, 2025	May 27, 2025	Deadline to exchange witness and exhibit lists and expert disclosures.
May 19, 2025 at noon	June 10, 2025 at noon	Deadline to file motions in <i>limine</i> and proposed jury questionnaire.
May 26, 2025 at noon	June 17, 2025 at noon	Deadline for oppositions to motions in <i>limine</i> , proposed <i>voir dire</i> , pretrial conference statements, jury instructions, and witness and exhibit lists.
June 11, 2025 at 2:00 pm	June 25, 2025 at 2:00 pm	Final pretrial conference.
July 7, 2025 at 8:00 am	July 7, 2025 at 8:00 am	Trial

16
 17 The undersigned Assistant United States Attorney certifies that he has obtained approval from
 18 counsel for the defendants to file this stipulation and proposed order.

19 IT IS SO STIPULATED.

20
 21 PATRICK D. ROBBINS
 Acting United States Attorney

22 Dated: April 17, 2025

23
 24
 25 /s/
 BARBARA J. VALLIERE
 PATRICK K. O'BRIEN
 RICHARD EWENSTEIN
 Assistant United States Attorneys

26 Dated: April 17, 2025

27
 28 /s/
 DAVID H. ANGELI
 MILES EHRLICH
 Attorneys for Defendant Daniel Schatt

1 Dated: April 17, 2025

/s/

ED SWANSON

CARLY BITMAN

Attorneys for Defendant Joseph Podulka

5 [PROPOSED] ORDER

6 For the reasons described in the parties' stipulation, the Court sets a change of plea hearing for
 7 defendants Daniel Schatt and Joseph Podulka for May 13, 2025 at 9:00 am. The trial schedule in this
 8 case is amended as follows, pending further order of the Court:

Dates	Event
May 27, 2025	Deadline to exchange witness and exhibit lists and expert disclosures.
June 10, 2025 at noon	Deadline to file motions in <i>limine</i> and proposed jury questionnaire.
June 17, 2025 at noon	Deadline for oppositions to motions in <i>limine</i> , proposed <i>voir dire</i> , pretrial conference statements, jury instructions, and witness and exhibit lists.
June 25, 2025 at 2:00 pm	Final pretrial conference.
July 7, 2025 at 8:00 am	Trial

17 IT IS SO ORDERED.

19 DATED: _____

20 _____
HONORABLE WILLIAM ALSUP
United States District Judge